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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission 10

Application Number	10/712,085
Filing Date	11/13/2003
First Named Inventor	PETER T. MCCARTHY
Art Unit	3617
Examiner Name	SOTELO, JESUS D.
Attorney Docket Number	24652-61 (Natures.003C9)

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	LEWIS BRISBOIS BIGGAARD & SMITH LLP		
Signature			
Printed name	SANFORD ASTOR		
Date	JULY 20, 2006	Reg. No.	20,748

CERTIFICATE OF TRANSMISSION/MAILING

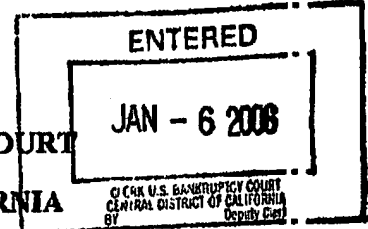
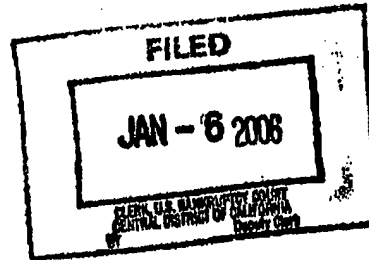
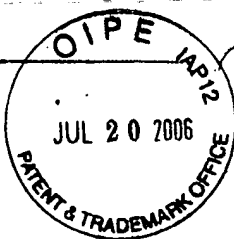
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Signature		EV759659619LLS
Typed or printed name	MELESA NOGUERA	Date JULY 20, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ORIGINAL



STEVEN JAY KATZMAN
UNITED STATES TRUSTEE
Jill M. Sturtevant
Assistant United States Trustee
Jennifer L. Braun, No. 130932
Assistant United States Trustee
OFFICE OF THE UNITED STATES TRUSTEE
21051 Warner Center Lane, Suite 115
Woodland Hills, California 91367
Telephone: (818) 716-8800; Facsimile: (818) 716-1576

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SAN FERNANDO VALLEY DIVISION**

In re:

Peter Thomas McCarthy,

Debtor.

Case No. SV 05-18622 GM

Chapter 11

**APPLICATION FOR ORDER
APPROVING APPOINTMENT OF
TRUSTEE AND FIXING BOND;
ORDER THEREON**

(No Hearing Required)

The United States Trustee hereby applies to the court pursuant to F.R.B.P. 2007 for an Order Approving the Appointment of Trustee and in support thereof, states:

1. The United States Trustee has appointed Amy L. Goldman as Trustee in the above-captioned case.

2. The United States Trustee has consulted with the following parties in interest regarding the appointment of the trustee: Richard A. Lapping of Thelen Reid & Priest, LLP, counsel for certain parties in interest and Steven R. Fox, counsel for the debtor in possession.

3. To the best of the United States Trustee's knowledge, the Chapter 11 Trustee's connections with the debtor, creditors, any other parties in interest, their respective attorneys and accountants, the United States Trustee, and persons employed in the Office of the United States Trustee are limited to the connections set forth in the Chapter 11 trustee's verified Statement of Disinterestedness filed concurrently herewith.

1/6/06

1 WHEREFORE, the United States Trustee requests that the Court enter an Order
2 approving the Appointment of Amy L. Goldman as Trustee in the above-captioned case and
3 fixing the Chapter 11 trustee's bond at \$10,000.00.

4 Dated: January 6, 2006

Respectfully submitted,

5 STEVEN JAY KATZMAN
6 United States Trustee

7 

8 By: Jill M. Sturtevant
9 Assistant United States Trustee

10 ORDER

11 It is so ordered.

12 Dated: 1/6/06

13 
14 The Honorable Geraldine Mund
15 United States Bankruptcy Judge
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1 WHEREFORE, the United States Trustee requests that the Court enter an Order
2 approving the Appointment of Amy L. Goldman as Trustee in the above-captioned case and
3 fixing the Chapter 11 trustee's bond at \$10,000.00.

4 Dated: January 6, 2006

Respectfully submitted,

STEVEN JAY KATZMAN
United States Trustee

By: Jill M. Sturtevant
Assistant United States Trustee

ORDER

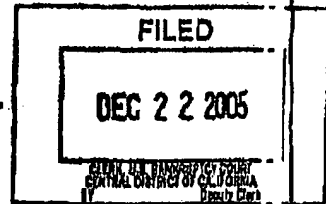
It is so ordered.

12 Dated:

The Honorable Geraldine Mund
United States Bankruptcy Judge



UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SAN FERNANDO VALLEY DIVISION



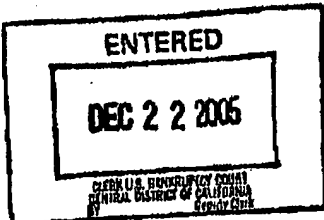
In re

PETER THOMAS MCCARTHY

Case No. SV 03-50021-GM

Chapter No. 11

**ORDER GRANTING MOTION TO VACATE
ORDER OF DISMISSAL AND REINSTATE
CHAPTER 11 BANKRUPTCY CASE AND
REINSTATE THE AUTOMATIC STAY
AND APPOINT A CHAPTER 11 TRUSTEE**



Debtor

HEARING

Date: DECEMBER 21, 2005

Time: 3:00 P.M.

Place: Courtroom 303

21041 BURBANK BLVD.

WOODLAND HILLS, CA 91367

On December 21, 2005 at 3:00 p.m. a hearing was held on the debtor's ex parte motion to reconsider dismissal of the above Chapter 11 bankruptcy case and to vacate the order of dismissal and reinstate the Chapter 11 case of debtor Peter McCarthy.

Steven Fox appeared for the debtor. Rebecca Calkins and Richard Lapping appeared for Hans Boedeker et al., derivatively on behalf of creditor Nature's Wing Fin Design LLC.

For the reasons stated on the record, the motion to reconsider is **GRANTED** and the order dismissing the above Chapter 11 case entered on December 13, 2005 is hereby **VACATED** and the bankruptcy case is reinstated. The debtor has agreed to the appointment of a Chapter 11 Trustee. The automatic stay is reimposed as of entry of this order and will expire on January 20, 2006 without further order of this Court unless the Trustee brings a motion to extend the automatic stay. There is no stay for any action taken during the gap period between dismissal and reinstatement.

A Chapter 11 Trustee is to be appointed.

DATED: 12/22/05


GERALDINE MUND
UNITED STATES BANKRUPTCY JUDGE

CERTIFICATE OF MAILING

I, LA TANYA MARSHALL, a regularly appointed and qualified clerk of the United States Bankruptcy Court for the Central District of California, do hereby certify that in the performance of my duties as such clerk, I personally mailed to each of the parties listed below, at the addresses set opposite their respective names, a copy of the

ORDER GRANTING MOTION TO VACATE ORDER OF DISMISSAL AND REINSTATE CHAPTER 11 BANKRUPTCY CASE AND REINSTATE THE AUTOMATIC STAY AND APPOINT A CHAPTER 11 TRUSTEE

in the within matter. That said envelope containing said copy was deposited by me in a regular United States mailbox in the City of Los Angeles, in said District, on DEC 22 2005

Steven R. Fox - Debtor Attorney
17835 Ventura Blvd., Suite 306
Encino, CA 91316

Richard Lapping - Attorney for Hans Boedeker
101 Second Street
San Francisco, CA 94105-3606

Rebecca Calkins - Attorney for Hans Boedeker
333 South Hope Street
Los Angeles, CA 90071-3048

U.S. Trustee - Interoffice Mail

La Tanya Marshall
(Clerk)

1 **DECLARATION OF SERVICE BY MAIL**

2 STATE OF CALIFORNIA
3 COUNTY OF LOS ANGELES

4 I am employed in the County of Los Angeles, state of California, in the Office of the
5 United States Trustee under the supervision of a member of the bar of this Court at whose
6 direction the service hereinafter described was made; I am over the age of 18 and not a party to
7 the within action; and my business address is: 21051 Warner Center Lane, Suite 115 Woodland
Hills, CA 91367.

8 On January 6, 2006, I served the foregoing document described as: **APPLICATION**
9 **FOR ORDER APPROVING APPOINTMENT OF TRUSTEE AND FIXING**
10 **BOND; ORDER THEREON** on the interested parties at their last known address in the
11 action by placing a true and correct copy thereof in a sealed envelope with sufficient postage
12 thereon full prepaid, in the United States Mail at Woodland Hills, California, addressed as
follows:

13 **DEBTOR:**

14 Peter Thomas McCarthy
15 26810 Pine Cliff Place
16 Stevenson Ranch, CA 91381

ATTORNEYS FOR HANS BOEDEKER:

Richard Lapping
101 Second Street
San Francisco, CA 94105-3606

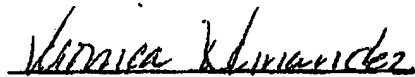
17 **DEBTOR'S ATTORNEY:**

18 Steven R. Fox
19 17835 Ventura Blvd., #306
Encino, CA 91316

Rebecca Calkins
333 South Hope Street
Los Angeles, CA 90071-3048

20 I declare under penalty of perjury that the foregoing is true and correct.

21 Dated: January 6, 2006

22 
23 Veronica Hernandez
24 Legal Clerk, U.S. Trustee Office
25
26
27
28



In re: Peter Thomas McCarthy, Debtor(s).	CHAPTER 11 CASE NUMBER SV 05-18622 GM
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**NOTICE OF ENTRY OF JUDGMENT OR ORDER
AND CERTIFICATE OF MAILING**

TO ALL PARTIES IN INTEREST ON THE ATTACHED SERVICE LIST:

1. You are hereby notified, pursuant to Local Bankruptcy Rule 9021-1(a)(1)(E), that a judgment or order entitled
**APPLICATION FOR ORDER APPROVING APPOINTMENT OF TRUSTEE AND
FIXING BOND; ORDER THEREON**

was entered on (specify date): **JAN 6 2006**

2. I hereby certify that I mailed a copy of this notice and a true copy of the order or judgment to the persons and entities on the attached service list on (specify date): **JAN 6 2006**

Dated: **JAN 6 2006**

JON D. CERETTO
Clerk of the Bankruptcy Court

By:

Deputy Clerk

Lachaya Marshall



NOTICE OF ENTRY SERVICE LIST

FOR

**PETER THOMAS MCCARTHY,
SV 05-18622 GM**

DEBTOR:

Peter Thomas McCarthy
26810 Pine Cliff Place
Stevenson Ranch, CA 91381

ATTORNEYS FOR HANS BOEDEKER:

Richard Lapping
101 Second Street
San Francisco, CA 94105-3606

DEBTOR'S ATTORNEY:

Steven R. Fox
17835 Ventura Blvd., #306
Encino, CA 91316

Rebecca Calkins
333 South Hope Street
Los Angeles, CA 90071-3048

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